

PROCEEDINGS OF THE BROWN COUNTY
PUBLIC SAFETY COMMITTEE

Pursuant to Section 19.84 Wis. Stats., a regular meeting of the Brown County Public Safety Committee was held on Wednesday, December 5, 2018 in Room 200 of the Northern Building, 305 E. Walnut Street, Green Bay, Wisconsin.

Present: Chair Buckley, Supervisor Schadewald, Supervisor Nicholson, Supervisor Borchardt
Excused: Supervisor Gruszynski
Also Present: DA Office Manager Michele Andresen, Director of Public Safety Communications Cullen Peltier, Emergency Management Director Jerad Preston, Medical Examiner Director of Operations Barry Irmien, Director of Administration Chad Weininger, Circuit Courts Office Manager Michelle Wallerius, Jail Lieutenant John Mitchell, Chief Deputy Todd Delain, District Attorney David Lasee, Supervisors Brusky, Hoyer, Lefebvre and Tran, Bob Srenaski and other interested parties.

I. Call meeting to order.

The meeting was called to order by Chair Pat Buckley at 4:00 pm.

II. Approve/Modify Agenda.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

III. Approve/Modify Minutes of October 17, 2018

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to approve. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Comments from the Public.

Supervisor Schadewald informed he had received a letter from Brian Nies on behalf of the Brown County Correctional Officers. He read this letter to the Committee and a copy of the same is attached.

-Marian Boyle-Rohloff, 1179 Reed Street, Green Bay, WI

Boyle-Rohloff stated she is a local pastor as well as the co-chair of JOSHUA's prison reform team. She spoke on behalf of JOSHUA and informed they are grateful for the progress that has been made in the formation of the Criminal Justice Department and indicated JOSHUA is hopeful that the pending Efficiency Improvement Work Group can move forward soon. She encouraged more asking of questions and study as to how to reduce the number of people in the jail and also looking at the amount of time people spend in the jail and how the system can be more efficient and appropriate in terms of bail reform, moving people to treatment opportunities, having speedier court processes and trials. She is here to support efforts that are underway and encourage more of that in the future.

1. Review Minutes Of:

- a. Criminal Justice Coordinating Board of September 13 and November 8, 2018.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

- b. Local Emergency Planning Committee – LEPC of September 11 and November 13, 2018.

Motion made by Supervisor Nicholson, seconded by Supervisor Borchardt to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

Circuit Courts, Commissioners, Probate

2. Budget Status Financial Report for September and October 2018 – Unaudited.

Circuit Court Officer Manager Michelle Wallerius informed their budget is in line as projected.

**Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

3. Director's Report.

Wallerius informed the security glass project in the Court Commissioner's office is moving forward; everything has been ordered and there will be a savings of about \$15,000 on the project which will be done by the end of the year. She also reported the audio system in Branch 6 will be replaced in the next two weeks and the audio in Branch 4 will also be replaced shortly.

**Motion made by Supervisor Nicholson, seconded by Supervisor Borchardt to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Medical Examiner

4. Budget Status Financial Report for October 2018 – Unaudited.

Medical Examiner Director of Operations Barry Irmen reported the budget is fine and on track with no problems.

**Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

5. 2018 Medical Examiner Activity Spreadsheet.

**Motion made by Supervisor Schadewald, seconded by Supervisor Borchardt to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

6. Update on the Planning of the Medical Examiner office.

Irmen reported Dane County is hiring their fourth physician but there is still a fifth position open that will be funded after August 2019. They are having a very difficult time recruiting a doctor for Green Bay. That means doctors will have to be rotated up to Green Bay on a schedule to provide full coverage for the county so there is always someone here to do autopsies, cover homicides and things like that. As far as the building goes, a meeting took place yesterday with the planning group, engineers, architects and county representatives to try to get the building where the budget is, but this was not successful.

Irmen continued that the morgue design expert that works for the group that got the design contract will be going back to the drawing board. Schadewald asked why this project is not coming in at budget and Irmen responded that he feels perhaps not enough money was budgeted and a lot of this depends on what Brown County wants. He feels if Brown County wants the space required just to do Brown, Door and Oconto County cases, they are probably still short, based on the drawings. Irmen said the design companies that are giving the numbers are using their best guess as to what a square foot costs. He feels it is way too early in the process to say what the number is. A lot of money is being paid to people to give a best guess and they could either be right on the money or way off.

Director of Administration Chad Weininger feels the project could be scoped down, but the problem is then there would not be a donation suite and a number of other things that could be problematic in the future from a revenue standpoint. There is a lot of complexity in order to position the county for the future growth to bring in the revenue and there are some things that really cannot be cut out, and those are the things that are adding the costs. The equipment and the way it needs to be staged is a lot more complex and advanced than was anticipated. There would not be another facility like what is being done in Brown County in northeastern Wisconsin.

Weininger continued that they will keep going through the process of looking for things to scope down a little bit, but then the question becomes why even build the new facility. He feels that sooner or later counties are going to be forced to go to a more regional approach for ME services.

Schadewald stressed it is important to him that the facility be built correctly with the right model and with the right policies. If Brown County is going to become a regional center, we do not want to build an inefficient building, but at the same time, we do not want to overspend. The more information that is brought forward to this Committee the better so that this Committee can share information with the rest of the Board. He asked where we are at with regard to becoming a regional center. Weininger said the original goal was to bring Dane County on board to service the current department and when we hit a large enough case load that would make it economically feasible, we would bring someone up here full time from Dane County. That caseload was hit the first year, but the problem is there is no place for them to do the autopsies. The current project could be scaled back a little bit, but that does not seem to make much sense when we can build a little more and then bring in revenue sources by bringing in from Michigan and the surrounding communities.

Currently there are only four places in the state to get autopsies done: Milwaukee, Fond du Lac, Dane County and UW in Madison. Fond du Lac hired a chief and a doctor right out of fellow as the deputy medical examiner, but the chief left before he was there for two months. Marathon County does about 50 – 75 autopsies and they wanted to build a regional facility, but there is nothing in their proposed 2019 budget for this. There is a significant shortage of forensic pathologists across the country, and Wisconsin is no exception. There are counties that are driving a great distance to have their autopsies done and some of the western counties are going across the river to get their autopsies done. Irmen feels there is significant need in this area. There has to be about 200 autopsies a year before it is feasible to hire a doctor and Brown County has hit that number in the last two years. Irmen feels there is an opportunity here, but it is not right at the opening day. You have to reach out to potential customers, make it easy for them to come to you, provide a good service that the lay medical examiners and District Attorney recognize as a good work product that they can understand. Irmen feels the business is out there, but right now there are a lot of unknowns because we do not know when it will open and what the staffing will be. Brown County is currently paying a lot of money to have decedents brought to Dane County and then brought back. He also feels the donation suite is important because families who lose loved ones are approached by donation agencies and it is a public service and something positive that comes from something tragic so we should be able to facilitate that. There would also be a fee charged for using the facility that covers things like medical waste, plumbing, staffing, etc. There is also money to be generated by doing out of county autopsies. If Brown County makes it easy for counties to come here, treats them with respect and gives a good product, more counties will start to come. Dane County currently serves 8 – 10 additional counties, plus the counties they have inter-governmental agreements with. Irmen reiterated there is a need for the service and Brown County has the workload and number of cases to make this make sense. Buckley feels there is one opportunity to do this right. He does not want to have to come back in the future looking for money to add on.

Schadewald feels we should be proactive and should be reaching out to other counties to gauge their interest. He feels it would be easier if while we are building, we are also talking which will help justify the expense. Then when the facility is ready, we will know the interest of the other counties. This information will be helpful in decision as to how much we want to go over the budgeted amount. Irmen responded that it is very difficult to commit to something that does not exist. Brown County would be a vendor, and other counties would be the customers and they would have to see what they will get. Brown County would have to do everything possible to make them happy to generate business. Irmen also noted that in January there will be new elected coroners taking office in some of the surrounding counties and, further, there will be new lay medical examiners taking office in January as well in counties that have gone from a coroner system to a lay medical examiner system. He said there is interest in the counties he has spoken with, but they want to see what the facility ends up looking like.

The shortage of doctors was discussed further and Borchardt asked if part of the issue of getting a doctor here is that there is not yet a facility. Irmen said that is probably part of it. He said there are 500 forensic pathologists throughout the United States, but there is need for 1,000. Everything from wages to work load to how pretty an office is and the amenities of the community factor into decisions. A lot of doctors migrate to the larger areas and some do not want to come to the Midwest and be cold. Irmen assured that Dane County is committed to the relationship with Brown County and rotating a doctor up here and providing seven day a week coverage for autopsies.

**Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

7. Medical Examiner's Report.

Irmen did not have anything further to report other than what was discussed above.

**Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Public Safety Communications

8. Budget Status Financial Report for September and October 2018 – Unaudited.

Director of Public Safety Communications Cullen Peltier informed the budget is still on target to meet the budget goals for the year.

**Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

9. Director's Report.

Peltier informed they are fully staffed at the telecomm level and they also have filled the supervisor vacancy and departmental vacancy. With regard to the CAD project, the go live is scheduled for December 12 at about 4:00 am. There have been a few issues in the last few days installing the program on some older data terminals but they are working through that.

**Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Emergency Management

10. Budget Status Financial Report for September and October 2018 – Unaudited.

Emergency Management Director Jerad Preston informed their budget is in good shape and there have not been any unexpected expenses.

**Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

11. Director's Report.

Preston informed the siren on North Webster Avenue has been taken down and there have not been any comments regarding that. He also informed the mitigation project will begin in January and should take about a year to complete.

**Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY**

Sheriff

12. Update on Jail Addition – *Standing Item.*

Chief Deputy Todd Delain and Jail Lt. John Mitchell addressed the Committee. Delain informed the project is moving along and it appears as it stands now there are not any issues with the budget. He said they continue to look at the long term needs to be sure those are taken into consideration. They are looking at the needs of different inmate populations and taking all of those things into consideration, especially from a staffing standpoint because if there are more cells for special needs, more staffing is often needed which drives up operational costs. They are looking at ways to address those needs in other parts of the institution so they can keep the staffing in the area that was originally discussed. Plans are moving along as expected as of this time.

Motion made by Supervisor Nicholson, seconded by Supervisor Borchardt to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

13. Budget Status Financial Report for October 2018 – Unaudited.

Delain informed expenses are currently at 82.9% and revenue is at 82.7% which is right on track. There are no surprises with the budget as of this time.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

14. Key Factor Report Through October 2018.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

15. Budget Adjustment Request (18-119): Any increase in expenses with an offsetting increase in revenue.

The Sheriff's Office Patrol Division wishes to purchase a traffic speed radar display sign and related supplies utilizing a \$1,000 state grant, a recent corporate donation from Keller Corporation and funds remaining in federal asset seizures. This would be a portable sign that can be moved to various locations.

Motion made by Supervisor Schadewald, seconded by Supervisor Nicholson to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

16. Budget Adjustment Request (18-124): Any increase in expenses with an offsetting increase in revenue.

This 2018 budget request is to increase grant revenue and related expenses to participate in a Wisconsin Emergency Management grant. The grant provides funds for training in the use of night vision equipment for SWAT operations. There is no match required for this grant.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

17. Resolution In Support of Participating in the 2019 County-Tribal Law Enforcement Grant.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to approve. Vote taken. MOTION CARRIED UNANIMOUSLY

18. Sheriff's Report.

Delain said Brad Brodbeck, Supervisor of the Patrol Division, has been named Chief Deputy effective January 2. There will be several retirements coming up for long-term employees so there will be some new faces and new people in some positions. Interviews for some positions are also being done. Delain said as of November 26, every correctional officer position at the Jail has been filled. He recalled that at the end of 2017 they made some revisions to the interview process and they have been doing interviews monthly which has really helped. It will take several months to get everyone through training, but once that is done they will be in good shape.

Motion made by Supervisor Nicholson, seconded by Supervisor Schadewald to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

Communications

19. Communication from Supervisors Brusky and Schadewald re: This is our request to form a Criminal Justice System Efficiency Improvement Work Group. This multi-function team would seek to identify opportunities to increase the justice system's operational efficiency and recommend specific actions to contain the growth and/or reduce the

system's operating costs. Motion to refer to Criminal Justice Coordinating Board to bring back a report at the October Public Safety meeting regarding the System Efficiency Improvement Work Group. *Held for one month.*

Supervisor Brusky said this communication was first brought forward in January. At this time they are waiting for Judge Atkinson to approve the members of the work group and she also noted he will be putting forwarding a draft of a resolution creating the work group. Schadewald thanked Brusky for her continued work on this.

Motion made by Supervisor Schadewald, seconded by Supervisor Borchardt to receive and place on file. Vote taken.
MOTION CARRIED UNANIMOUSLY

20. **Communication from Supervisor Lefebvre re: The Brown County Board needs to do a five year plan regarding budgets. The County needs to set and prioritize which department needs more attention (money and staff) – 1 to 10 (department ranked) on this need. This way we will know what department needs will be in the future with department moving up and down on the scale. Referred from October 17, 2018.**

Supervisor Lefebvre informed this in front of all Committees so they can all think about it. She wants to think ahead and not wait until budget time to find out the needs of the departments. She feels we need to start talking to departments in January to see where they stand and what they need so we can figure out and plan for the priorities. She talked about the increased number of cases in both Child Protection and Adult Protection and feels that is definitely one of the areas that we will need to put on the top of the list for the 2020 budget. She would like the needs ranked so everyone can stay focused.

Motion made by Supervisor Nicholson, seconded by Supervisor Borchardt to receive and place on file. Vote taken. **MOTION CARRIED UNANIMOUSLY**

21. **Communication from Supervisor Buckley re: Have the District Attorney's Office be prepared to have a discussion on potential offenses that can/could be sent to Municipal Court for action. Held until the December Public Safety Committee meeting.**

District Attorney David Lasee informed he is gathering information from local law enforcement agencies and is asking them to provide him with a list of their policies and thresholds for possession of THC, possession of drug paraphernalia, theft, criminal damage to property and retail theft. He is looking for information as to what the criteria is for each offense. After he receives all of the information from all of the departments, they can engage in discussions of having consistent thresholds across the board.

Buckley asked if Lasee feels the current criteria will differ from department to department. Lasee feels it will and noted that some of the smaller departments may not have any official criteria and do things on a case by case basis while some of the larger departments likely have written policies that set forth the thresholds for these offenses.

Schadewald wants to look at how we can cooperate with the municipalities. He asked if the County Board can set the thresholds or if that is done by statute. Lasee responded that it is the discretion of the District Attorney's office as to what cases they prosecute. Lasee said the DA's office could decide not take cases sent to them and instead, push them back to the municipalities for prosecution. He will not dictate to the law enforcement departments how to do their jobs, but would like to get a conversation started regarding getting some consistencies with the thresholds. He added that many of municipalities probably would not want the DA's office to take over more cases for financial reasons.

Buckley asked how many cases are in the DA's office that have not been looked at yet. Lasee said there are probably 3000 cases and they are generally lower level cases such as possession, obstruction and non-violent disorderly conduct as well as low level property damage.

Motion made by Supervisor Nicholson, seconded by Supervisor Borchardt to hold for three months. Vote taken.
MOTION CARRIED UNANIMOUSLY

Other

22. Audit of bills.

Motion made by Supervisor Schadewald, seconded by Supervisor Borchardt to acknowledge receipt of the bills. Vote taken. MOTION CARRIED UNANIMOUSLY

23. Such other matters as authorized by law. None.

24. Adjourn.

Motion made by Supervisor Schadewald, seconded by Supervisor Borchardt to adjourn at 4:58 pm. Vote taken. MOTION CARRIED UNANIMOUSLY

Respectfully submitted,

Therese Giannunzio
Administrative Specialist

Public Safety Committee Members,

We are writing you to once again consider giving the Correctional Officers of Brown County Protective Status Retirement. We currently have an appeal hearing coming up with the Wisconsin Employee Trust Fund and one of the questions asked by an Attorney with the ETF was why doesn't your County Board give it back to you which reiterates the fact that the ETF does not care which retirement category you are in not to mention the numerous other counties which allow their county Correctional officers to have protective status with the most recent being Rock County on October 9th 2018.

\$300,000 was set aside in the budget to cover the cost of Protective Status retirement. If the Board would grant us this benefit it would greatly reduce the employee turnover rate thus saving the county money by not having to train so many new officers.

With the recent shooting by GBPD in the Sally Port of the jail, where correctional officers commonly go to assist agencies with uncooperative detainees, we believe now is the time for the Board to do the right thing and grant us Protective Status Retirement which more importantly includes duty disability protections.

Thank You for your consideration.

Brown County Correctional Officers.

*Comments from the
Public.*